GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PS - PR&RD Department – East Godavari District- Allegations of misuse of Government funds and irregularities in administrative matters- Disciplinary proceedings against Sri Ch.Subrahmanyam, the then District Panchayat Officer, East Godavari District under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 - Article of Charges - Orders - Issued

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PANCHAYAT RAJ & RURAL DEVELOPMENT (Vig. III) DEPARTMENT

G.O.RT.No. 82 Dated: 06-02-2017

Read:

From the DG&EO, Principal Secretary,GA (V&E)Dept. VR No.60 (C.No.748/ V&E/ D2/ 2009),Dt.25.08.2015

ORDER:

1. It is proposed to hold an enquiry against Sri Ch. Subrahmanyam, the then District Panchayat Officer, East Godavari District, now working as District Panchayat Officer, Y.S.R.Kadapa District in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (classification, control and appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A statement of imputations of misconduct or misbehavior in support of the Article of Charges framed against them is enclosed(Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure –III and IV).

3 . Sri Ch. Subrahmanyam, the then District Panchayat Officer, East Godavari District is directed to submit his written statement of defence within 10 days of the receipt of the order.

4. Sri Ch. Subrahmanyam, the then District Panchayat Officer, East Godavari District is informed that an inquiry will be held only in respect of those articles of charge as are not admitted.He should, therefore, specifically admit or deny each article of charge.

5. Sri Ch. Subrahmanyam, the then District Panchayat Officer, East Godavari District is further informed that if he do not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against them ex parte.

6. Attention of Sri Ch. Subrahmanyam, the then District Panchayat Officer, East Godavari District, now working as District Panchayat Officer, Y.S.R.Kadapa District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct)rules, 1964, under which no government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on behalf from any person in respect of any matter dealt within these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(p.t.o)

7. The receipt of the order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRAPRADESH)

DR.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Ch. Subrahmanyam, then the District Panchayat Officer, East Godavari District (through Commissioner, PR&RD, AP, Nakkal Road, Suryaraopet, Vijayawada.
The Commissioner, PR&RD, Sri Charitasri Buildings, Door No.29-6-8/1,Nakkal Road, Suryaraopet, Vijayawada-520002.
Copy to :
The District Collector, East Godavari District, Kakinada.

Sf/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-I

Statement of articles of charge framed against Sri Ch. Subrahmanyam, the then District Panchayat Officer, East Godavari District, now working as District Panchayat Officer, Y.S.R.Kadapa District.

Article :I

That Sri Ch. Subrahmanyam, then the District Panchayat Officer, East Godavari District, now working as District Panchayat Officer, Y.S.R.Kadapa District while functioning as District Panchayat Officer, East Godavari District had released an excess amount of Rs.2,00,000/- to the Divisional Panchayat Officer, Amalapuram for conduct of 3rd Ordinary Elections to Gram Panchayats 2006 without any requisition from them.

Article :II

That Sri Ch. Subrahmanyam, the then District Panchayat Officer, East Godavari District, now working as District Panchayat Officer, Y.S.R.Kadapa District while functioning as District Panchayat Officer, East Godavari District had diverted election grants for advertisements of "Hearty Welcome" to the district Collector irregularly by paying Rs.10,800/- to Prabhat Agencies, Kakinada.

Article :III

That Sri Ch. Subrahmanyam, the then District Panchayat Officer, East Godavari District, now working as District Panchayat Officer, Y.S.R.Kadapa District while functioning as District Panchayat Officer, East Godavari District had paid an amount of Rs.78,000/- towards vehicle hire charges of 6 vehicles for 10 days instead of Rs.27,000/- which is violation as per the Rules. Thus, an amount of Rs.51,000/- was misappropriated by the then District Panchayat Officer, Kakinada towards excess payment of vehicle hire charges.

Article :IV

That Sri Ch. Subrahmanyam, the then District Panchayat Officer, East Godavari District, now working as District Panchayat Officer, Y.S.R.Kadapa District while functioning as District Panchayat Officer, East Godavari District had paid an amount of Rs.26,200/- to Santhi Nivas Lodge, Kakinada towards supply of 30meals for 19 days @23/- for each meal to election staff instead of Rs.13,110/- without verifying the bill properly.

Article :V

That Sri Ch. Subrahmanyam, the then District Panchayat Officer, East Godavari District, now working as District Panchayat Officer, Y.S.R.Kadapa District while functioning as District Panchayat Officer, East Godavari District had paid an amount of Rs.3,03,110/- from Eleventh Finance Commission funds to Indian Red Cross Society, Kakinada on 31.03.2007 towards pending collection of contribution from field functionaries which is supposed to be generated by selling flags, books, etc., and thereby he diverted the government funds.

Article :VI

That Sri Ch. Subrahmanyam, the then District Panchayat Officer, East Godavari District, now working as District Panchayat Officer, Y.S.R.Kadapa District while functioning as District Panchayat Officer, East Godavari District had issued promotion orders to (4) Gr.II Sanitary Inspectors as GR.I Sanitary Inspectors without prior permission from the competent authority.

Article :VII

That Sri Ch. Subrahmanyam, the then District Panchayat Officer, East Godavari District, now working as District Panchayat Officer, Y.S.R.Kadapa

(p.t.o)

District while functioning as District Panchayat Officer, East Godavari District has sanctioned Rs.1,18,355/- towards expenses of conducting public meeting at jaggampeta Village and Mandal to the then taken back TOTAL AMOUNT OF Rs.1,18,355/- sanctioned to the divisional Panchayat Officer, Peddapuram by showing fake bills without incurring the expenditure and same was misappropriated.

Article :VIII

That Sri Ch. Subrahmanyam, the then District Panchayat Officer, East Godavari District, now working as District Panchayat Officer, Y.S.R.Kadapa District while functioning as District Panchayat Officer, East Godavari District has diverted the sand seigniorage amounts received in auctions of reaches to other works and miscellaneous expenditure by violating the Rules. The amount received from sand auctions during 2004-05 to 2008-09 was not apportioned completely to the Panchayat Raj Bodies. Out of Rs.32,40,68,795/- only Rs.15,59,40,662/- (I.e. 48% of auction amount) was apportioned and the balance funds were diverted for one purpose or other. Utilizing these funds Rs.4,23,94,427/- for engineering & other works, Rs.1,15,30,795/- towards miscellaneous expenditure and Rs.19,30,765/- towards advertisement charges is in violation of Government instructions issued. He has intentionally avoid apportioning of sand seigniorage funds, among the gram Panchayats, Mandal Parishads and Zilla Praja Parishad, East Godavari District. Thus the funds were diverted to other works and miscellaneous expenditure by violating the Rules in vogue.

2. Thus Sri Ch. Subrahmanyam, the then District Panchayat Officer, East Godavari District, now working as District Panchayat Officer, Y.S.R.Kadapa District by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of Government Servant and thereby contravened the rules 3(1) &3(2) of A.P.C.S.(Conduct) Rules,1964

DR.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE -II

Statement of Imputations of Misconduct in support of the Article of Charges framed against Sri Ch. Subrahmanyam, the then District Panchayat Officer, East Godavari District, now working as District Panchayat Officer,

CHARGE1:

As per the Vigilance Report No.60 (C.No.748/V7E/D2/2009) dt.25.08.2015, the V&E Officials reported that Sri Ch. Subrahmanyam, the then District Panchayat Officer, East Godavari District had released an excess amount of Rs.2,00,000/- to the DLPO of Amalapuram for conduct of 3rd ordinary elections without any requisition from them.

CHARGEII:

It is submitted that in the Vigilance Report No.60 (C.No.748/V7E/D2/2009) dt.25.08.2015 the V&E Officials have reported that, Sri Ch. Subrahmanyam, then the District Panchayat Officer, East Godavari District has diverted election grants for advertisement of "Hearty Welcome " to the District Collector in Hindu daily on 15.05.2006 and this item of advertisement was not for election purpose . Hence it is diversion of funds from the purpose they are meant for, thereby caused wrongful loss to Govt., funds.

CHARGEIII:

It is submitted that in the Vigilance Report No.60 (C.No.748/V7E/D2/2009) dt.25.08.2015 the V&E Officials have reported that, Sri Ch. Subrahmanyam, then the District Panchayat Officer, East Godavari District has shown cash payment of vehicle charges of Rs.39,000/- on 05.07.2006 to Sri Sai Travels, Kaki9nada for supply of vehicles to election duty and on verification of said vouchers, 3 vehicles AP 5 TT 1449,AP5Y3696&AP5Y8845 were supplied from 01.06.2006 to 10.06.2006 i.e 10 days and paid hire charges Rs.39,000/-. Further 3 vehicles AP5Y4999, AP5TT1111 & AP5Y394 were supplied from 25.06.2006 to 04.07.2006 i.e. 10days and paid hire charges Rs.39,000/-. The then DPO paid hire charges Rs.39,000/-. The then DPO paid hire charges of Rs.1300/- per day to each vehicle including driver beta and as per the Govt., instructions vehicle hire charges are fixed @Rs.13,000/- PM or Rs.450/- per day. In this connection an amount of Rs.27,000/- is only eligible to be paid as hire charges to hired vehicles.But the then DPO, East Godavari had paid vehicle hire charges at Rs.78,000/-in the above process, an amount of Rs.51,000/-was misappropriated by him towards excess payment of vehicle hire charges.

CHARGEIV:

It is submitted that in the Vigilance Report No.60 (C.No.748/V7E/D2/2009) dt.25.08.2015 the V&E Officials have reported that, on verification of the hotel bill dt.08.08.2006, an amount of Rs.26,220/- was drawn and paid to Santhi Nivas lodge, Kakinda towards supply of 30 meals for 19 days @ Rs,23/- for each meal. But as per calculation , the bill should be 23X30X19= Rs.13,110/- only, thus an excess payment of Rs.13,110/- was paid by in wrong calculations which caused wrongful loss to the Government due to sheer negligence of Sri Ch. Subrahmanyam, then the District Panchayat Officer, East Godavari District.

(p.t.o)

CHARGE V:

It is submitted that in the Vigilance Report No.60 (C.No.748/V7E/D2/2009) dt.25.08.2015 the V&E Officials have reported that the Indian Red Cross society (IRCS), Kakinada branch has supplied subscription books, flags and stickers total worth Rs.5,81,550/- to DPO Office, Kakinada which were in turn distributed to Panchayat Secretaries through DLPOs for raising of contribution to Indian Red Cross Society and out of Rs.5,81,550/- an amount of Rs.2,64,650/- was paid to Indian Red Cross Society by the DPO Office, Kakinada and an amount of Rs.3,03,100/- from 11th Finance Commission Funds through cheque No.456903,dt.31.03.2007 of A/c No.CG01/1728 of State bank of Mysore, Kakinada and paid to the Indian Red Cross Society, Kakinada without getting approval from the District Collector which is irregular.

CHARGE VI:

It is submitted that in the Vigilance Report No.60 (C.No.748/V7E/D2/2009) dt.25.08.2015 the V&E Officials have reported that Sri Ch. Subrahmanyam, then the District Panchayat Officer, East Godavari District has promoted 4 Grade-II Sanitary Inspectors as Grade-I Sanitary Inspectors vide proc.No.2546/2007-A4,dt.06.11.2007 in the time scale of Rs.5755-145-6040-155-6505-170-7015-185-7570-200-8170-215-8815-235-9520-255-10285-280-11125-295-120100-315-12955. On examination the present District Panchayat Officer has informed that only one post of Grad-I Sanitary Inspector is available in East Godavari District as per the cadre strength vide Roc.No.888/08-A5,dt.18.02.2010. Thus the then DPO has violated the rules in vogue and promoted 4 Grad-II Sanitary inspectors as Grade-I Sanitary Inspectors without having sufficient cadre strength.

CHARGEVII:

It is submitted that in the Vigilance Report No.60 (C.No.748/V7E/D2/2009) dt.25.08.2015 the V&E Officials have reported that the DLPO, Peddapuram has requested the Collector(Panchayat wing) for sanction of Rs.1,18,355/- towards the expenditure incurred for public meeting at Jaggampeta(V) on 18.04.2008, which was attended by Smt.Sonia Gandhi vide Lr.No.185/08/A1,Dt.25.03.2008 . Accordingly the District Collector has sanctioned an amount of Rs.1,18,355/- to the DLPO, Peddapuram vide Note file No.1021/08/A6,dt.28.03.2008. On examination, the then DLPO, Peddapuram stated that, some of the sanitary&PH material was purchased and sent to Jaggampeta GP Office and was utilized for the purpose of the meeting . The bills were prepared on the name of DLPO, Peddapuram were given by the DPO, Kakinada for payment of Rs.1,18,355/- and accordingly the then DPO has issued Cheque No.330022,dt.28.03.2008 for Rs.1,18,355/- to her instructing to encash the cheque and hand over the amount to him. Accordingly, she en-cashed the cheque at SBI,Peddapuram and total amount was handed over to the then DPO by taking a receipt. On verifying the records of G.P.Jaggampeta, it is noticed that an amount of Rs.20,000/- was drawn & utilized for purchase of sanitary material on the occasion of above public meeting and on verification it is evident that the then DPO, Kakinada has taken back an amount of Rs.1,18.355/- sanctioned to the DLPO, Peddapuram by showing fake bills without incurring the expenditure and same was misappropriated.

(Contd.)

CHARGEVIII:

It is submitted that in the Vigilance Report No.60 (C.No.748/V7E/D2/2009) dt.25.08.2015 the V&E Officials have reported that as per G.O.Ms.No.255,dt.02.08.2001 of PR&RD(Pts.III) Dept., the seigniorage fee should be apportioned among the Panchayat Raj bodies i.e.GPs,MPPs and ZPPs as per ratio mentioned therein. During the enquiry, on verification of information furnished by the O/o DPO, Kakinada, it is revaled that an amount of Rs.32,40,68,795/- was received during the period from 2004-05 to 2008-09 and the same was not apportioned completely to the Panchayat Raj bodies . Out of Rs.32,40,68,795/- only Rs.15,59,40,662/- (i.e 48% of auction amount) was apportioned and the balance funds were diverted for one purpose or other .Utilizing theses funds of Rs.4,23,94,427/- for engineering & other works ,Rs.1,25,30,795/- towards miscellaneous expenditure and Rs.19,30,765/- towards advertisement charges is violation of Govt., instructions issued in the above G.O. Thus the then DPO, Kakinda has intentionally avoided apportioning of sand seigniorage funds and thereby financially weakened the Local bodies.

2. From the above, it is evident that he has shown Gross negligence while discharging his Legitimate Duties and violated Rule 3 (1) & 3 (2) of APCS (CC&A) Rules, 1964.

DR.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-III

List of documents by which the articles of charge framed against Sri Ch. Subrahmanyam, then the District Panchayat Officer, East Godavari District, now working as District Panchayat Officer, Y.S.R.Kadapa District rae proposed to be sustained.

From the DG&EO. Principal Secretary, GA(V&E)Dept., Vigilance Report No.60(C.No.748/V&E/D2/2009), dt.25.08.2015.

DR.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-IV

List of witnesses by whom the articles of charge framed against Sri Ch. Subrahmanyam, then the District Panchayat Officer, East Godavari District, now working as District Panchayat Officer, Y.S.R.Kadapa District rae proposed to be sustained.

-NIL-

DR.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER